

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

8 UNITED STATES OF AMERICA, )  
9 Plaintiff, ) No. MJ-06-294  
10 v. ) ORDER OF PROBABLE CAUSE,  
11 MIGUEL MENDOZA, ) DENYING ORAL MOTION TO  
12 Defendant. ) DISMISS, AND GRANTING ORAL  
13 ) MOTION TO PRESERVE AGENT'S  
 ) HAND-WRITTEN NOTES

14 A probable cause hearing was held on November 30, 2006.  
15 Assistant U.S. Attorney K. Jill Bolton appeared for the United  
16 States. Defendant was present with counsel Curran Dempsey. ATF  
17 Special Agent Todd Smith testified and was cross examined. Argument  
18 was presented by both sides.

19 The court finds probable cause to believe that the charged  
20 offense has been committed and to believe the Defendant committed  
21 it.

22 || **IT IS ORDERED:**

23       1. The Defendant's oral Motion to Dismiss (**Ct. Rec. 12**) is  
24 **DENIED.** Defendant, on the finding of probable cause, is bound over  
25 to the United States District Court for trial.

26       2. The Defendant shall remain in the custody of the U.S.  
27 Marshal pursuant to this court's Order filed November 28, 2006.

1       3. The Defendant's oral Motion to Preserve the Agent's Hand-  
2 Written Notes is **GRANTED**.

3                     DATED November 30, 2006.

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6                     S/ CYNTHIA IMBROGNO  
7                     UNITED STATES MAGISTRATE JUDGE  
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